



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,873	01/29/2001	Herman Jan Renier Schmitz	NL 000047	7772

24737 7590 08/13/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

CARTER, TIA A

ART UNIT	PAPER NUMBER
----------	--------------

2626

DATE MAILED: 08/13/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/771,873

Applicant(s)

SCHMITZ, HERMAN JAN RENIER

Examiner

Tia A Carter

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Den Hombergh et al. (US. 5038212).

Regarding claim 1, Van Den Hombergh et al. discloses a method of receiving teletext pages each having a page number, comprising the steps of:

- determining the page numbers of said transmitted teletext pages (fig. 6, col. 7, lines 37-42);
- storing indications indicating the presence of the teletext pages in the transmission, characterized in that said memory (fig. 3, ref. 46, 48) includes two memory sections, the step of storing said indications comprising alternately storing said indications in one of said memory sections during a predetermined

Art Unit: 2626

period of time, and removing said indications in the respective memory section prior to said storing of the indications (fig. 6, col. 7, lines 30-61).

Regarding claim 2, Van Den Hombergh et al. discloses a method as claims in claim 1, wherein each memory section comprises a table having, for each possible page number, a location for storing the indication of presence of the respective page as a first value and the indication of absence of said page as a second value (fig. 4, col. 6, lines 10-48).

Regarding claim 3, Van Den Hombergh et al. discloses a method as claimed in claim 1, further comprising the step of counting the number of times a teletext page is received for which the indication of presence has already been stored, said predetermined period of time having lapsed when said number of time exceeds a given number (fig. 3, col. 6, lines 5-10; fig. 6, col. 7, lines 65-68; col. 8, lines 1-5).

Regarding claim 4, Van Den Hombergh et al. discloses a receiver teletext pages each having a page number (fig. 1, col. 4, lines 40-57), comprising:

- a control circuit for determining the page numbers of said transmitted teletext pages (fig. 6, col. 7, lines 37-42);
- a memory for storing indications indicating the presence of the teletext pages in the transmission, characterized in that said memory includes two memory sections, the step of storing said indications comprising alternately

Art Unit: 2626

storing said indications in one of said memory sections during a predetermined period of time, and removing said indications in the respective memory section prior to said storing of the indications (fig. 6, col. 7, lines 30-61).

Regarding claim 5, Van Den Hombergh et al. discloses a receiver as claims in claim 4, wherein each memory section comprises a table having, for each possible page number, a location for storing the indication of presence of the respective page as a first value and the indication of absence of said page as a second value (fig. 4, col. 6, lines 10-48).

Regarding claim 6, Van Den Hombergh et al. discloses a receiver as claimed in claim 4, further comprising the step of counting the number of times a teletext page is received for which the indication of presence has already been stored, said predetermined period of time having lapsed when said number of time exceeds a given number (fig. 3, col. 6, lines 5-10; fig. 6, col. 7, lines 65-68; col. 8, lines 1-5).

### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Van Gestel (WO 97/12485), Van Den Hombergh et al. (US. 5119200), and Santilli et al. (US. 5821982) are cited to show related art with respect to teletext page transmission.

Art Unit: 2626

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
TAC  
8/6/04

Tia A Carter  
Examiner  
Art Unit 2626

  
MARK WALLERSON  
PRIMARY EXAMINER